
PRELIMINARY DRAFT
No. 3297

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2008 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 5-10-8-14; IC 27-8-24.2; IC 27-13-7-19.

Synopsis: Coverage for stereotactic radiotherapy. Requires a state employee health benefit plan, a policy of accident and sickness insurance, and a health maintenance organization contract to provide coverage for stereotactic radiotherapy.

Effective: July 1, 2008.



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-14 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 14. (a) As used in this section, "covered individual"**
4 **means an individual who is entitled to coverage under a state**
5 **employee health benefit plan.**

6 **(b) As used in this section, "stereotactic radiotherapy" means a**
7 **method of three dimensional planning and delivery of stereotactic**
8 **and convergent beam technologies to deliver a prescribed dose of**
9 **ionizing radiation to a precise intracranial or noncranial location**
10 **in the body. The term includes stereotactic radiosurgery and**
11 **stereotactic body radiation therapy.**

12 **(c) As used in this section, "state employee health benefit plan"**
13 **means a:**

14 **(1) self-insurance program established under section 7(b) of**
15 **this chapter; or**

16 **(2) contract with a prepaid health care delivery plan that is**
17 **entered into or renewed under section 7(c) of this chapter;**
18 **to provide group health coverage.**

19 **(d) A state employee health benefit plan must provide coverage**
20 **for stereotactic radiotherapy to the same extent that stereotactic**
21 **radiotherapy is covered under the federal Medicare program (42**
22 **U.S.C. 1395 et seq.).**

23 **(e) The coverage required under this section may not be subject**
24 **to dollar limits, deductibles, copayments, or coinsurance provisions**
25 **that are less favorable to a covered individual than the dollar**
26 **limits, deductibles, copayments, or coinsurance provisions applying**
27 **to other coverage generally under the state employee health benefit**
28 **plan.**

29 SECTION 2. IC 27-8-24.2 IS ADDED TO THE INDIANA CODE
30 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2008]:



Chapter 24.2. Coverage for Stereotactic Radiotherapy

Sec. 1. As used in this chapter, "insured" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 2. (a) As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1.

(b) The term does not include the following:

(1) Accident only, credit, dental, vision, Medicare, Medicare supplement, long term care, or disability income insurance.

(2) Coverage issued as a supplement to liability insurance.

(3) Automobile medical payment insurance.

(4) A specified disease policy.

(5) A limited benefit health insurance policy.

(6) A short term insurance plan that:

(A) may not be renewed; and

(B) has a duration of not more than six (6) months.

(7) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.

(8) Worker's compensation or similar insurance.

(9) A student health insurance policy.

Sec. 3. As used in this chapter, "stereotactic radiotherapy" means a method of three dimensional planning and delivery of stereotactic and convergent beam technologies to deliver a prescribed dose of ionizing radiation to a precise intracranial or noncranial location in the body. The term includes stereotactic radiosurgery and stereotactic body radiation therapy.

Sec. 4. A policy of accident and sickness insurance must provide coverage for stereotactic radiotherapy to the same extent that stereotactic radiotherapy is covered under the federal Medicare program (42 U.S.C. 1395 et seq.).

Sec. 5. The coverage that must be provided under this chapter may not be subject to dollar limits, coinsurance, or deductibles that are less favorable to an insured than the dollar limits, coinsurance, or deductibles that apply to other coverage under the policy of accident and sickness insurance.

SECTION 3. IC 27-13-7-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 19. (a) As used in this section, "stereotactic radiotherapy" means a method of three dimensional planning and delivery of stereotactic and convergent beam technologies to deliver a prescribed dose of ionizing radiation to a precise intracranial or noncranial location in the body. The term includes stereotactic radiosurgery and stereotactic body radiation therapy.

(b) An individual contract or a group contract must provide coverage for stereotactic radiotherapy to the same extent that



1 stereotactic radiotherapy is covered under the federal Medicare
2 program (42 U.S.C. 1395 et seq.).

3 (c) The coverage that must be provided under this section may
4 not be subject to dollar limits, copayments, or deductibles that are
5 less favorable to an enrollee than the dollar limits, copayments, or
6 deductibles that apply to other coverage under the individual
7 contract or group contract.

8 SECTION 4. [EFFECTIVE JULY 1, 2008] (a) IC 5-10-8-14, as
9 added by this act, applies to a state employee health benefit plan
10 that is established, entered into, delivered, amended, or renewed
11 after June 30, 2008.

12 (b) IC 27-8-24.2, as added by this act, applies to a policy of
13 accident and sickness insurance that is issued, delivered, amended,
14 or renewed after June 30, 2008.

15 (c) IC 27-13-7-19, as added by this act, applies to an individual
16 contract or a group contract that is entered into, delivered,
17 amended, or renewed after June 30, 2008.

